

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

UTICA RESOURCE OPERATING, LLC,

Defendant.

Civil Action No. 22-3906

Judge Sargus

Magistrate Judge Jolson

UNITED STATES’ MOTION TO ENTER CONSENT DECREE

The United States respectfully requests that the Court approve and enter the proposed Consent Decree that was lodged in this case on November 4, 2022. (ECF No. 2-1). If approved and entered by this Court, the Consent Decree would conclude this case on the terms and conditions set forth in that settlement agreement.

The U.S. Department of Justice gave notice of the proposed settlement in the Federal Register and solicited public comment during a 30-day period that commenced upon publication of the notice. *See* 87 Fed. Reg. 68,194 (November 14, 2022). No comments were received. The Defendant in this lawsuit – Utica Resource Operating, LLC (“URO”) – has co-signed the proposed Consent Decree and supports its approval and entry as a final judgment in this case.

The Court should approve and enter the Consent Decree because the settlement that it memorializes is fair, adequate, reasonable, and consistent with the Clean Air Act and the public interest, as shown by the Memorandum in support of this Motion. For these reasons, the United States respectfully requests that the Court approve, sign, and enter the proposed Consent Decree.

Respectfully submitted,

FOR THE UNITED STATES OF AMERICA:

s/ Nicholas A. McDaniel
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CERTIFICATE OF SERVICE

I hereby certify that on January 3, 2023, the foregoing Motion to Enter Consent Decree was filed electronically and notice of this filing will be automatically sent to counsel of record on the ECF system. A copy of the foregoing Motion was also sent by electronic mail to the following counsel:

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